



PLANNING COMMISSION STAFF REPORT JULY 26, 2012

Project:	ST. PAUL UNITED METHODIST CHURCH PHASE 2 EXPANSION (PLN2012-00151)
Proposal:	To consider a Major Amendment to Planned District P-90-2 to allow the construction of an 11,343-square-foot, two-story addition to an existing church and an increase in the capacity of the existing day care and Sunday school facilities at 33350 Peace Terrace in the North Fremont Community Plan Area.
Recommendation:	Recommend to City Council, based on findings and subject to conditions
Location:	33350 Peace Terrace in the North Fremont Community Plan Area APN: 543-0221-012-03 (See aerial photo next page)
Lot Size:	2.22 acres
People:	SHK and Associates (Salim Kerawala), Applicant/Architect St. Paul United Methodist Church (Rev. Ann Lau Choy), Property Owner Stephen Kowalski, Staff Planner (510) 494-4532; skowalski@fremont.gov
Environmental Review:	This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, Infill Development Projects.
General Plan:	Residential - Low Density, 2.3-8.7 Dwelling Units per Acre
Zoning:	Planned District P-90-2

EXECUTIVE SUMMARY

The applicant requests approval of a Major Amendment to Planned District (PD) P-90-2 to allow the construction of an 11,343-square-foot, two-story addition to an existing church located at 33350 Peace Terrace and increase the capacity of day care and Sunday school facilities from a maximum of 40 children to 65 children. Staff recommends that the Planning Commission recommend approval of the project to City Council as shown in Exhibit "A," based on the findings prescribed by Fremont Municipal Code (FMC) Section 8-21813 and subject to the conditions of approval contained in Exhibit "B."



Figure 1: Aerial Photo (2009) of Project Site and Surrounding Area.



SURROUNDING LAND USES

North: Small lot single-family residential; Planned District P-99-5

South: David Jones Park; O-S zoning district

East: Flood control channel, Besaro Mobile Home Park beyond; O-S(F) zoning district, Planned District P-68-6 beyond

West: Single-family residential, R-1-X-8.8 zoning district

BACKGROUND AND PREVIOUS ACTIONS

In 1985, the City Council approved Preliminary Planned District P-85-14 for two contiguous parcels located at 33330 and 33350 Peace Terrace to enable two separate religious facilities to be constructed on the properties. On January 11, 1990, Council approved a Preliminary and Precise Planned District P-89-17 allowing the Islamic Society of the East Bay to construct a mosque at 33330 Peace Terrace. Shortly thereafter, on July 10, 1990, Council approved a Preliminary and Precise Planned District P-90-2 allowing St. Paul United Methodist Church to construct a ±26,000 square foot religious facility at 33350 Peace Terrace with on-site day care services for up to 40 children.

The applicant completed the first phase of construction (approximately 5,975 square feet) of the subject church in 1994. This phase included the main assembly hall, administrative offices, a kitchen and a small nursery. On October 28, 1999, the Planning Commission approved a Minor Amendment to the Planned District (PD) (PLN2000-00054) allowing the construction of a 1,440-square-foot modular building on the site to serve as a day care facility for up to 24 children during weekdays and as auxiliary classroom/meeting space for the congregation in the evenings and on weekends. This approval was obtained because the original rights for day care facilities for up to 40 children were never exercised by the church.

The proposed plans are for the second phase of construction, and include nearly 5,000 square feet of new classroom space for the day care service and Sunday school, as well as additional offices, lounge areas, conference rooms and a kitchen expansion.

PROCEDURE FOR TONIGHT'S HEARING

At tonight's hearing, the Planning Commission is charged with completing the following task:

1. Consider the request for a Major Amendment to Planned District P-90-2 to allow construction of an 11,343-square-foot, two-story addition to an existing church and an increase in the capacity of the existing day care and Sunday school facilities at the subject church from 40 to 65 children, based on the project's conformance to the findings prescribed by FMC Section 8-21813, and make a recommendation to City Council.

PROJECT DESCRIPTION

The applicant proposes to construct an 11,343-square-foot, two-story addition to the existing church located at 33350 Peace Terrace and an increase in the capacity of day care and Sunday school facilities from a maximum of 40 children to 65 children. The subject property was originally approved for a ±26,000 square foot church in 1990 with a day care facility for up to 40 children, but to date the applicant has only constructed the first phase of that plan, a 5,975-square-foot single-story facility, and a detached 1,440-square-foot modular building currently doubling as a day care facility for 24 children as well as the Sunday school facility. The proposed addition would add nearly 5,000 square feet of new classroom space for the day care and Sunday school services, as well as a number of new offices, conference rooms, lounge areas, restrooms, and additional kitchen space for the congregation, all totaling approximately 6,343 square feet. The addition would bring the new total floor area to 18,758 square feet, some 7,242 square feet less than the 26,000 total square feet the church was originally

permitted to build. The church plans to eventually construct the remainder of the approved floor area as the third and final phase, but as of now there is no set date for this final phase.

The addition would be built along the rear (north) and right (east) sides of the existing building toward the parking lot and the adjacent flood control channel. The building's footprint would remain entirely within the existing curb-line surrounding the church and its landscaped grounds, and would not encroach into any parking areas. No existing trees would be removed to accommodate the addition, and only some small storage sheds would be removed to accommodate the new outdoor play area for the children who attend the day care facility. This play area would include a covered sandbox, a play structure, a turf area, and a small garden for use by the children.

An additional component of the project would be the re-vegetation of the embankment between the church's parking lot and the Alvarado Boulevard public right-of-way directly north of the project site, as well as the repair of the existing irrigation system serving this area. As a condition of its original 1990 PD approval, the church was required to plant this embankment with decorative landscaping and maintain it for the duration of the church's lifespan. Since that time, the irrigation system has failed and much of the original landscaping has either died or been overgrown with weeds. The applicant has prepared a re-landscaping plan for this area which has been reviewed and approved in concept by the City's Landscape Architecture Division (see Sheet L-2 of Exhibit "A").

PROJECT ANALYSIS

General Plan Conformance

The General Plan land use designation for the project site is Residential – Low Density, 2.3-8.7 Units per Acre. This land use designation is intended to accommodate suburban-style detached single-family residential development, while allowing for various institutional uses that might be compatible with such development such as churches, schools, and care homes. The proposal would be consistent with the following goals and policies contained in the Land Use Element of the General Plan:

Land Use Policy 2-3.10: Non-Residential and Civic Uses in Residential Areas – *Allow schools, day care centers, senior centers, group homes, public and semi-public facilities (e.g., churches), and nursing care facilities in residential areas, subject to conditions which limit the impacts of these uses on nearby properties. To the extent permitted by state and federal law, conditions of approval may be placed on such uses to ensure that they are operated in a manner that is sensitive to neighborhood concerns, and that maintains the quality of life. In addition, such uses should be sited in a way that minimizes exposure of future occupants to noise, localized air pollution sources, and other environmental hazards.*

Analysis:

The proposal would allow the continued, planned growth of an existing religious facility in a residential neighborhood, and provide additional capacity for on-site day care services and Sunday school classes for the church's congregation. This added capacity would enable parents to bring their school-aged children to church for Sunday school while the parents attend prayer services in the assembly hall, thereby reducing the number of trips some parents may have to make to drop off and pick up their children at an off-site school facility. It would also enable the church to increase the capacity of its day care service by more than 50 percent, which would, in turn, provide parents of young children in the congregation with additional child care services. Staff has included a number of conditions designed to

ensure that the expanded day care and Sunday school services would not pose a nuisance to the surrounding residential neighborhood or expose the users of the service to any environmental hazards (Condition Nos. 2 through 16).

Zoning Regulations

The subject property is currently zoned Planned District P-90-2. This PD was established specifically to accommodate a 26,000-square-foot church on the subject property. The proposed expansion would result in an 18,758-square-foot religious facility which would conform to the original PD approval. However, because the applicant is proposing to significantly increase the capacity and enrollment size of the existing day care and Sunday school facilities on the premises, a PD Major Amendment is required.

Land Use:

The precise plan that was originally approved for the project in 1990 featured a 26,000-square-foot church on the site with day care and Sunday school facilities for up to 40 children. Currently, the church only measures 5,975 square feet, with a separate 1,440-square-foot modular building housing the classrooms and day care facility. The proposed addition would bring the new total floor area (including both the main building and the modular building) to 18,758 square feet, well within the original approved 26,000-square-foot limit. However, because the applicant is proposing to increase the capacity of the day care and Sunday school facilities to accommodate up to 65 children (a 63 percent increase in enrollment size), the proposal requires a Major Amendment to the original PD approval. All other aspects of the project would conform to the original PD approval.

Parking:

The applicant would not be enlarging the main sanctuary as part of the proposed expansion. Instead, the majority of the addition would consist of new classroom space to provide the day care service and Sunday school with improved and updated facilities for their operations. As such, the only change to the everyday operations at the property which would trigger the need for additional parking would be an increase in the number of children brought to the day care facility on weekdays. Pursuant to FMC Section 8-22003 (Required Parking Spaces by Type of Use), the minimum parking requirements for a religious facility and day care service are as follows:

<i>Land Use</i>	<i>Parking Ratio/Standard</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>	<i>Degree of Compliance</i>
Religious Facilities	1 space for each 5 seats in the main sanctuary	80 spaces (main sanctuary has max. capacity of 400 persons)	160 spaces (shared between both churches and existing day care)	Exceeds minimum requirement
Day Care Facilities	3 spaces plus 1 per each 10 children over a capacity of 15 children	8 spaces (65 children)	160 spaces	Exceeds minimum requirement

When the two religious facilities were approved under the original Preliminary PD and built in the early 1990s, mutual agreements were put in place to enable each facility to utilize each other's parking lots. This arrangement was implemented due to the fact that neither facility conducts religious services on the same day. No changes are proposed to the schedule of the applicant's services; instead, only the size of

the day care facility would increase. The mosque on the adjacent property also operates an on-site elementary school for its congregation, but the school's classes run from approximately 8:00 AM to 3:00 PM. The church's day care operation opens for drop-off between 6:30 and 8:30 AM and again for pick-up between 4:00 and 6:00 PM, so there is only minor overlap during the morning hour between the school and day care facility's traffic. However, there is still a large surplus of available parking during those times to accommodate parents driving to and from the two religious facilities. On no days would both facilities conduct religious services at the same time; therefore, the existing on-site parking is sufficient to accommodate the proposed expansion of the church and its day care facility.

Design Analysis

Site Planning: The proposal would make use of the existing site layout, with the addition being limited to the northern and eastern sides of the building only. A new outdoor play area for the children attending the day care facility would be constructed behind the building in a newly-landscaped area adjacent to the flood control channel. The parking lot and all existing on-site pedestrian sidewalks would remain unchanged. The existing modular building adjacent to the church that is currently housing the day care operation and Sunday school classes would also remain in its current location and be used as additional administrative office space.

Circulation: No changes are proposed to the existing vehicular circulation routes through the site or the parking lot, as all of the new floor area would be accommodated in the yard areas surrounding the building. In addition, all existing walkways around the building and between the building and the parking lots would be preserved in their current locations.

Architecture: The proposed addition would be designed to tie seamlessly into the existing architecture through the use of matching siding materials, parapet lines, and regularly-spaced, rectilinear window openings. The existing standing seam metal roof would be preserved near the center of the structure, with the new addition having a flat roof behind its parapet to match the existing flat roof over the opposite side of the church. Siding would consist of coarse stucco with score-lines that would tie into the score-lines on the existing building.

Landscape Design: The proposed addition would require the removal of minor landscaping, including a hedgerow and some lawn. No trees would be removed as part of the project. All new landscaping would be installed around the outdoor play area behind the church, including shade trees and ornamental plants, and a new metal fence would be erected around the perimeter of this area to keep the children within a confined space for easy supervision. In addition, the embankment between the church's parking lot and the Alvarado Boulevard public right-of-way directly north of the project site would be re-landscaped with new trees, shrubs and ground cover, including a row of seven new 24-inch box street trees along the sidewalk on Alvarado Boulevard. All of the existing trees on this embankment would be preserved and incorporated into the re-vegetation plan (see Sheet L-2 of Exhibit "A").

Urban Runoff Clean Water Program: The Alameda Countywide National Pollution Discharge Elimination System (NPDES) Municipal Regional Stormwater Permit requires all new development to incorporate measures to prevent pollutants from being conveyed in stormwater runoff and minimize the amount of stormwater that enters the public storm drain system. This project is required to comply with the NPDES Municipal Regional Stormwater Permit by incorporating Best Management Practices (BMPs) to achieve these requirements to the extent practicable.

Geologic Hazards: The project site is located within an area of potential earthquake-induced liquefaction as identified on the official Seismic Hazard Zone maps published by the State Geologist. In accordance with State law, the project's geotechnical engineer would be required to prepare a seismic hazard report during the building permit review process. The report would be reviewed and approved by the City's Engineering Division and filed with the State Geologist. The project improvements and building construction would conform to the recommendations of the approved seismic hazard report.

FINDINGS FOR APPROVAL

Planned District Major Amendments: Pursuant to FMC Section 8-21813, the Planning Commission may recommend that the City Council adopt an ordinance amending an existing PD if the following findings can be made in support of the proposed amendment:

- (a) The proposed P district, or a given unit thereof, can be substantially completed within four years of the establishment of the P district;

Analysis: The proposed addition and site improvements could easily be completed within four years. There is nothing unusual about the site and no significant environmental constraints exist which could cause significant delays during construction of the project.

- (b) Each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts;

Analysis: The subject church and the adjacent mosque were both approved under the original Preliminary PD P-85-14 by City Council in 1985 with the understanding that the two facilities would share each other's parking and not hold services simultaneously, and this agreement has worked effectively since both facilities were constructed in the early 1990s. The proposed addition would not preclude the two facilities from continuing to function harmoniously and share each other's joint use facilities. Furthermore, even with the addition, the subject church would continue to have sufficient parking and open space to function on its own as a stable and attractive component of the surrounding neighborhood, and both the on-site and off-site landscaping adjacent to Alvarado Boulevard would be significantly enhanced as part of the expansion to further contribute to the aesthetic character of the property.

- (c) The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P district;

Analysis: While the proposed increase in enrollment capacity of the day care facility would generate additional trips to the site during morning and afternoon peak traffic times, the increase would only result in 41 additional trips at most during each time period over what the church was originally approved for in 1990 (65 children instead of 24 children). When spread out over the two-hour drop-off and pick-up windows on weekday mornings and afternoons, the additional trips would not result in a significant impact to the adjacent streets or intersection. Furthermore, the main sanctuary itself would not be enlarged as part of the project, so the number of trips generated by the church on days when church services are offered should not increase significantly.

- (d) Any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the precise site plan, in accord with adopted policy of the Planning Commission and City Council;

Analysis: No exceptions from the standard zoning requirements for a religious facility are being sought. As such, this finding does not apply.

- (e) The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;

Analysis: With the exception of the adjacent mosque, the surrounding area is zoned for and developed with single-family residential development and a city park. The proposed development has been designed to be fully independent through the provision of its own private street (Peace Terrace) and parking lot, both of which it shares with the mosque. Thus, it would not conflict with adjacent improvements or land uses, or prevent their being redeveloped with new uses that are compatible with the church or the other nearby land uses.

- (f) The P district is in conformance with the General Plan of the City of Fremont; and

Analysis: The Planned District Amendment would remain in conformance to the General Plan in that the Land Use Element allows semi-public institutions such as churches and day care facilities to locate within residential areas when adequate conditions are in place which ensure that the use would not pose significant negative impacts to the surrounding neighborhood.

- (g) Existing or proposed utility services are adequate for the population densities proposed.

Analysis: There are existing water, sewer, and public storm drain systems serving the property located within Lowry Road which are capable of accommodating the proposed expansion, and no off-site easements would need to be secured or extensions constructed in order to connect the project to these systems.

CITY FEES

This project would be subject to citywide Development Impact Fees, including fees for fire protection, park facilities, park land, capital facilities and traffic facilities. All applicable fees would be calculated and paid at the fee rates in effect at the time of building permit issuance. The applicant may elect to defer payment of the fees in accordance with the City's Impact Fee Deferral Program.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, Infill Development Projects, which exempts projects that are consistent with the applicable General Plan land use and zoning designations, that pose no significant environmental impacts, and which are located on lots less than five acres that are already served by all necessary utility services.

PUBLIC NOTICE AND COMMENT

Public hearing notification is applicable for the land use entitlement being requested. A total of 32 hearing notices were mailed to all owners and occupants of property within 300 square feet of the site. The hearing notices were mailed on Friday, July 13, 2012. A Public Hearing Notice was also published by *The Argus* on Tuesday, July 10, 2012.

ENCLOSURES

Exhibits:

Exhibit "A" [Project Plans for Planned District Major Amendment PLN2012-00151](#)
Exhibit "B" [Recommended Findings and Conditions of Approval](#)

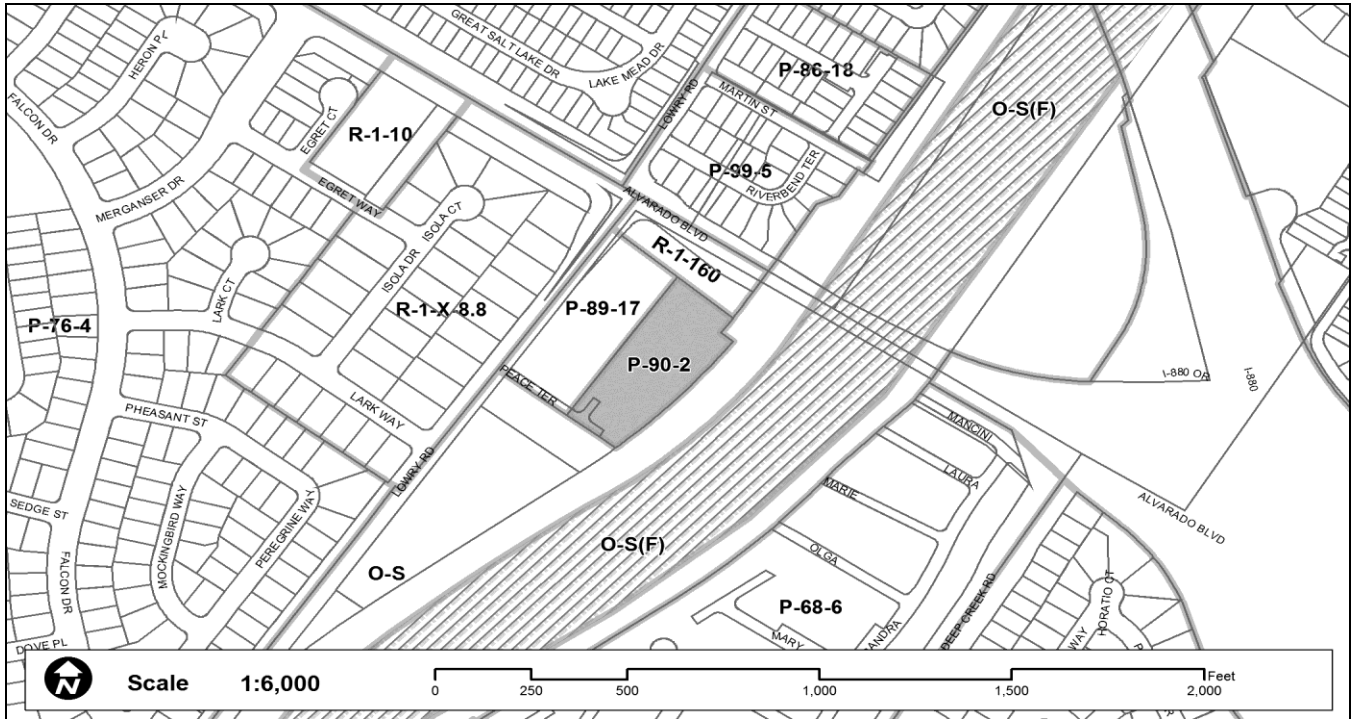
Informational Items:

Informational 1 [Project Description from Applicant](#)
Informational 2 [Color Rendering](#)

RECOMMENDATION

1. Hold public hearing.
2. Recommend that the City Council find that the project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, which exempts projects that are consistent with the applicable General Plan land use and zoning designations, that pose no significant environmental impacts, and which are located on lots less than five acres that are already served by all necessary utilities and public services;
3. Recommend that the City Council find the project is in conformance with the relevant provisions contained in the City's General Plan, including the designated goals and policies set forth in the Land use Element of the General Plan as enumerated in the staff report;
4. Recommend that the City Council find that the project plans for the Planned District Major Amendment PLN2012-00151 as shown in Exhibit "A" fulfill the applicable requirements set forth in the Fremont Municipal Code; and
5. Recommend that the City Council adopt an ordinance amending Planned District P-90-2 as shown in Exhibit "A," based upon the findings and subject to the conditions of approval set forth in Exhibit "B."

Current Zoning
(Shaded Area represents the Project Site)



Current General Plan Land Use Designation
(Shaded Area represents the Project Site)

